IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

RP.No. 403 of 2005(B)

AGAINST THE JUDGEMENT IN WPC.16610/2004 Dated 09/02/2005

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REVIEW PETITIONERS/RESPONDENTS 1 & 2 IN THE WPC:-

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1. THE DEPUTY DIRECTOR OF EDUCATION,
PATHANAMTHITTA AT DD'S OFFICE, THIRUVALLA.

2. THE DISTRICT EDUCATIONAL OFFICER,
PATHANAMTHAITTA.

BY GOVERNMENT PLEADERSHRI.P.NANDAKUMAR.

RESPONDENTS: PETITIONER & 3RD RESPONDENT IN WPC:-

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1. M.R.RAJAGOPALAN NAIR,
HEADMASTER(RTED), PGM HIGH SCHOOL FOR BOYS,
PARAKKODE, PATHANAMTHITTA(RESIDING AT
MUTTATH HOUSE, ARUKALIKKAL EAST, VAYALA P.O.,
PARAKKODE.

2. THE HEADMASTER,
PGM HIGH SCHOOL FOR BOYS, PARAKKODE.

R1 BY ADV. SRI.MVS.NAMBOOTHIRY
SRI.RATHEESH P.R.
R2 BY SMT.V.P.SEEMANDINI

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 16/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.K.DENESAN, J.

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R.P.(C).No.403 OF 2005
in
WP(C)No,16610 OF 2004.

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Dated this the 16th day of March, 2007.

O R D E R

Counsel for the writ petitioner opposes the application for condoning the delay as also the petition for review. The delay in filing the Review Petition is 79 days. The contention raised in the Review Petition is that there was sufficient reason for not paying the terminal benefits due to the petitioner immediately after his retirement. The attempt is now made to explain the delay by pleading additional facts.

2. It is a case where the respondents did get the opportunity to file counter-affidavit in the writ petition. Respondents 1 and 2 filed a joined counter-affidavit and the 3rd respondent filed a separate counter-affidavit. This Court considered the statements made in those counter-affidavits and after considering relevant aspects, the Judgment was pronounced. Hence, the present attempt to bring on

record additional details cannot be countenanced.

3. I find no merit in the Review Petition. Therefore, the Review Petition as also the delay condonation application shall stand dismissed.

K.K.DENESAN, JUDGE.

kvs/-